

Enrolled

Senate Bill No. 408.

By Johns, Luttrell,
McPerrin, Hillard
and Calvert.

An Act Proposing An Amendment
To The Constitution Of The State Of
Oklahoma By Adding To Article
14, Another Section To Be Known
As Section 4.

Be It Enacted By The People of The State of Oklahoma:

That the following amendment to the Constitution of the State of Oklahoma, is hereby proposed and said amendment with the yeas and nays thereon, shall be entered in the journals of the respective Houses of the Legislature and referred by the Secretary of State to the qualified voters of the State for their approval or rejection at a special election which is hereby called and shall be held in the manner provided by law on the 5th day of June, 1923, and which amendment shall be known as Section 4, of Article 14, of the Constitution, and is in words and figures, as follows, to-wit:

"Section 4. The legislature is hereby authorized and it shall be its duty to provide for the payment of all lawful demands and claims against the Depositors' Guaranty Fund by reason of state banks which failed prior to the adjournment of the Ninth Legislature of this State out of any money in the State Treasury realized from fines, penalties, forfeitures, licenses and privileges, but no money collected by a direct ad valorem tax or tax levied under the laws of this State as a substitute for ad valorem tax shall be used for such purpose. Payment of such claims

Correctly Enrolled
J.M.C. Davis

or demands shall be made in five equal annual installments under rules and regulations as may be prescribed by the Legislature."

Carefully Enrolled

1923

Chairman Committee on Engraving and Enrolling.

Passed by the Senate this the 29th day of March, 1923.

For my signature

President Pro Tempore of the Senate.

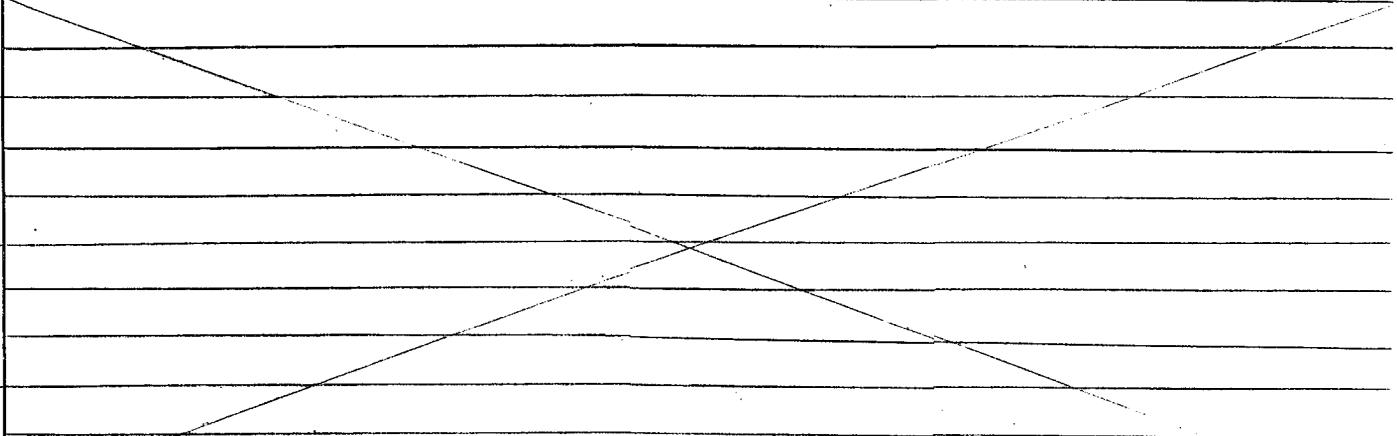
Passed by the House of Representatives this the 31st day of March, 1923.

For my signature

Speaker of the House of Representatives.

Approved this the 9th day of April, 1923.

Governor of the State of Oklahoma.



THE ATTORNEY GENERAL
OF THE
STATE OF OKLAHOMA

JB:ALH

OKLAHOMA CITY
AUGUST 31, 1923

Hon. W. C. McAlester,
Secretary, State Election Board,
B U I L D I N G,

Dear Sir;

Receipt is acknowledged of your letter of August 24 requesting that this office furnish you with ballot titles for the measures referred to and set out in the proclamation calling the election, for the submission of these various amendments.

We submit herewith the following titles for such acts in the order given in your letter and for your convenience I am setting each title out on a separate sheet.

You further request the advice of this office as to whether or not there is any rule governing the order in which these measures shall be placed on the ballot.

There is no provision of law stating how these measures shall appear or in what order they shall appear upon the ballots. It is therefore the opinion of the Attorney General that such arrangement is discretionary with the State Election Board.

Very respectfully yours,

FOR THE ATTORNEY GENERAL.

JOHN BARRY
Assistant Attorney General.

gl.

V.

The gist of the proposed amendment is;

"That Section 4 of Article 14, of the Constitution, be amended to authorize the legislature to provide for the payment of all lawful demands and claims against the Depositors Guaranty Fund by reason of state banks which failed prior to the adjournment of the Ninth Legislature, providing no money collected by direct ad valorem tax shall be used for such purpose."

August 24, 1923.

Hon. George F. Short,
Attorney General,

BUILDING.

Dear Sir:

Attached, hereto, is a Proclamation, issued by the Governor, calling a Special Election on five state questions, election to be held October 2nd.

I request that you furnish ballot titles for these measures. Is there any provision of law, which outlines the order in which these measures should be placed on the ballot? If so, please advise.

Yours very truly,

JWO:9

Secretary.

A PROCLAMATION.

WHEREAS, the Legislature of the State of Oklahoma, in the Ninth regular session thereof, proposed, by House Concurrent Resolution, Senate Joint Resolution, House Joint Resolution, and by Act of the Legislature, certain proposed amendments to the Constitution of the State of Oklahoma which said amendments were directed to be submitted to the qualified electors of the State of Oklahoma, as follows, to-wit:

FIRST, the proposed amendment directed to be submitted by Senate Joint Resolution No. 4, entitled, "A RESOLUTION, providing for the submission of a proposed Amendment to the Constitution, authorizing the enactment of appropriate legislation providing for the compulsory compensation of employees, and their dependents, in case of death, or permanent, or partial disability," same being an amendment to Section 7, Article 23, of the Constitution of the State of Oklahoma, and repealing existing Section 7 of said Article 23; said joint resolution being Chapter 249 of the Session Laws of Oklahoma, 1923.

SECOND, a proposed amendment to and in lieu of Section 3, Article 6, of the Constitution of the State of Oklahoma entitled, "A RESOLUTION authorizing the submission of a proposed amendment to the Constitution to the people for their approval or rejection, said proposed amendment being an amendment to Section 3, Article 6, of the Constitution of the State of Oklahoma," same being Chapter 250, Session Laws of Oklahoma, 1923, said amendment eliminating the word "Male" from the qualification of persons eligible to election or appointment to all executive State offices.

THIRD, a proposed amendment to the Constitution of the State of Oklahoma relating to "soldier bonus", being "A proposed Constitution Amendment, entitled: A Constitutional Amendment to the Constitution of the State of Oklahoma, by adding to said Constitution, an Article to be known and designated as Article 26, said Article Authorizes and Provides for the Industrial Rehabilitation and Equalized Compensation or Farm or Home Aid to all Soldiers and Certain Dependents of Deceased Soldiers who Served Honorably, from the State of Oklahoma, in the War between the United States and the German Empire and Its Allies, Prescribing Qualifications of Those Who shall Receive such Loan or Cash Compensation, Fixing the Amount of such Loan or Compensation and Creating a Commission to be known as the "Soldiers' State Aid Commission", and Defining the Powers and Duties of said Commission, Authorizing the Issuance and Prescribing the Character and Amount of Bonds to be Issued, and Creating a Special Fund from the Proceeds thereof, to Carry out the Purpose of this Act, and Providing how said Bonds shall be Issued and Sold, and Providing Ways and Means by which the Interest on said Bonds shall be Paid when Due, and the Bonds Themselves Paid at Maturity, "same being Chapter 267, Session Laws of Oklahoma, 1923; said proposed amendment providing in substance that each person who enlisted or was inducted and served honorably from the State of Oklahoma, in the military or naval forces of the United States, including nurses, between the 6th day of April, 1917 and the 11th day of November, 1918, excluding welfare workers of the Red Cross, Young Mens Christian Association, Young Womens Christian Association,

Jewish Welfare, Knights of Columbus, Welfare Board, War Camp or Community Service, the Salvation Army, and like organizations; also excluding dishonorably discharged service men and those who sought to avoid service because of conscientious objections thereto and those guilty of fraud or wilful violation or evasion of the Selective Service Act, or of the rules and regulations of the War Department, and those who did civilian work at civilian pay and excluding time of taking training in student army training corps, and those receiving compensation of a like nature from other states.

AND, providing that in case of death of any beneficiary above named the benefits of this amendment to go to the dependents of the beneficiary in the following order: First, Wife; second, Child or Children; third, Mother; fourth, Father; creating a commission to carry out and enforce the amendment, consisting of the Governor, Secretary of State, State Treasurer, the Attorney General, and the Adjutant General of the State of Oklahoma; providing a secretary and assistant secretary at salaries not to exceed \$3600.00 and \$2400.00 per annum respectively.

Said amendment provides for the issuing of vouchers by said commission to be approved by the State Auditor and warrant issued against the State Treasury to be paid out of said Soldiers' Bonus Fund; providing aid in the matter of acquiring a home not exceeding a maximum sum of \$2000.00, and providing the option of cash compensation. Said amendment further provides for the issuing of bonds of the State of Oklahoma in the sums of \$25,000,000.00 and \$30,000,000.00 conditioned as follows:

The \$25,000,000.00 issue to provide the compensation authorized by this amendment, said bonds to bear five per cent interest, and not to exceed twenty years maturity, providing for the loan of said funds upon bond of the United States or of the State of Oklahoma, or on other security; the said \$30,000,000.00 bond issue provided in said amendment to be used for the purpose of creating a loan fund for the benefit of the beneficiaries of said amendment, said bonds to bear five per cent annual interest to mature within twenty-five years from date of issuance said bonds to be secured by the assets of the loans made to soldiers and the credit and resources of the State of Oklahoma, and pledged to the punctual payment of the principal and interest of the said bonds.

Said amendment further provides an annual tax, for the ensuing twenty years, of one mill upon all property of the State, subject to ad valorem tax; and additional income tax on a graduated scale of from five to twenty-five mills on the dollar of net income, in excess of certain exemptions named in said proposed amendment.

FOURTH; a resolution authorizing the submission of a proposed amendment to the Constitution to the people for their approval or rejection, for the purpose of amending Section 9 of Article 10, providing a special State levy for public schools, being Chapter 288 of the Session Laws of Oklahoma, 1923, said proposed amendment providing the total ad valorem taxes for state, county, township, city, town and school district shall not exceed $31\frac{1}{2}$ mills on the dollar in any year, provided same be apportioned as follows:

State, not more than $3\frac{1}{2}$ mills;

County, not more than 8 mills, and 2 mills additional for aid to common schools;

Township levy, not more than 5 mills;

City or town, not more than 10 mills;

School district, not more than 5 mills, and providing the annual rate for school purposes may be increased in any school district not exceeding 10 mills by a majority vote of the qualified electors voting therefor. Providing for the increase of State levy sufficient to provide \$15.00 per school child in average daily attendance for the support and maintenance of the schools of the State, the same may be in excess of the State levy of $3\frac{1}{2}$ mills for school purposes only.

FIFTH, a proposed amendment to the Constitution entitled "An Act proposing an amendment to the Constitution of the State of Oklahoma by adding to Article 14 another Section to be known as Section 4." Said Section providing, in substance that the Legislature shall provide for the payment of all lawful claims and demands against the Depositors' Guaranty Fund, growing out of insolvent banks, failed prior to the adjournment of the Ninth Legislature, the same to be paid out of moneys in the State Treasury from fines, penalties, forfeitures, licenses and privileges, and not by a direct ad valorem tax, or tax as a substitute for ad valorem tax, payments thereof to be made in five equal annual installments under regulations prescribed by the Legislature.

NOW, THEREFORE, in order to carry out the intent and purposes of the Legislature in the matter of submitting said proposed amendments to the Constitution, above set out, I, J.C. Walton, Governor of the State of Oklahoma, by virtue of the authority in me vested, do hereby proclaim and call a special election to be held under the direction of the State Election Board of the State of Oklahoma, in each and every voting precinct in said State, wherein and whereat, by proper ballot title each of the above propositions and questions shall be submitted to the qualified electors of the State of Oklahoma for their approval or rejection; said election to be held on Tuesday,
(day of the week)

the Second day of October, In the year
of our Lord One Thousand Nine Hundred and Twenty-three.

In witness whereof I have hereunto set my hand as Governor
of the State of Oklahoma, and have caused to be affixed hereunto,
the Great Seal of the State of Oklahoma, at the Capitol of the
State of Oklahoma, this the 13th day of August, in the year of
our Lord, One Thousand Nine Hundred and Twenty-three, and of the
Independence of the United States of America, the One Hundred and
Forty-eighth.

Attest:

J. C. WALTON
Governor of the State of Oklahoma.

R. A. SNEED
Secretary of State.

(GREAT SEAL)